

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SEIVERT DAYDRILL
RUNNINGCRANE,

Defendant.

CR-16-17-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on January 10, 2019. (Doc. 151.) The United States accused Defendant Seivert Daydrill RunningCrane of violating his conditions of supervised release by: 1) failing to report for substance abuse testing; 2) failing to report to his probation officer as directed; 3) failing to notify his probation officer of a change in residence; 4) committing another crime; 5) using a controlled substance; and 6) consuming alcohol. (Doc. 152 at 2.) RunningCrane admitted to all violations of his supervised release. (Doc. 152 at 3.)

Judge Johnston entered Findings and Recommendations on January 11, 2019. (Doc. 152.) Judge Johnston recommended that the Court revoke RunningCrane's supervised release. (Doc. 152 at 3.) Judge Johnston recommended

that the Court commit RunningCrane to the custody of the Bureau of Prisons for seven months, with twenty-nine months of supervised release to follow. (Doc. 125 at 3.) Judge Johnston further recommended that RunningCrane spend the first two months of his supervised release at Connections Corrections in Butte, Montana. (Doc. 152 at 4.) Judge Johnston recommended that the supervised release conditions previously imposed be continued. (Doc. 152 at 4.)

Neither party filed objections. The Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no clear error in Judge Johnston's Findings and Recommendations. RunningCrane's violations represent a serious breach of the Court's trust. A custodial sentence of seven months followed by twenty-nine months of supervised release with the first two months of RunningCrane's supervised release spent in Connections Corrections in Butte, Montana, is a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 152) is **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Seiver Daydrill RunningCrane is sentenced to seven months in custody followed by twenty-nine

months supervised release with the first two months of release spent at
Connections Corrections in Butte, Montana.

DATED this 31st day of January, 2019.



Brian Morris
United States District Court Judge